

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:07CR302
)	
v.)	
)	
NOAH HALLOWELL,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on the report and recommendation of the magistrate judge (Filing No. 19), which recommends that defendant's motion to dismiss indictment (Filing No. 11) be denied. The Court has reviewed the report and recommendation, the briefs of the parties (Filing Nos. 12 and 14), the transcript (Filing No. 18), defendant's statement of objections (Filing No. 22), and brief in support thereof (Filing No. 23) and finds said report and recommendation should be approved and adopted. Accordingly,

IT IS ORDERED:

- 1) The report and recommendation of the magistrate judge is approved and adopted;
- 2) Defendant's objections to said report and recommendation are overruled;
- 3) Defendant's motion to dismiss indictment is denied;

4) Trial of this matter is scheduled for:

Monday, October 20, 2008, at 9 a.m.

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. To give the parties time to pursue plea negotiations and because of the schedule of the Court, the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between August 28, 2008, and October 20, 2008, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 28th day of August, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court